## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF GEORGIA COLUMBUS DIVISION

CHRISTOPHER BERNARD : CAMPBELL. :

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Plaintiff,

.

VS. : Case No. 4:23-CV-75-CDL-MSH

Sergeant ARTAVIOUS MOORE,

:

Defendant.

## **ORDER**

Pending before the Court is Plaintiff's motion in which he appears to request permission to refile a civil complaint that "was dismissed due to the latent retrieval of the 'official inmate account information' that was returned to [him] on 'January 10th, 2024'" and "which was requested by the Court in 'December, 2023.'" (ECF No. 29). For the reasons which follow, Plaintiff's motion is denied.

First, Plaintiff's request does not appear to be related to this case. This case is ongoing, with Defendant having filed a motion for summary judgment (ECF No. 24). The only claims which have been dismissed in this matter were related to some unspecified denial of medical attention, presumably related to Defendant allegedly kicking his groin, and that he was not fed or provided water. Order & R. 6-7, May 30, 2023, ECF No. 5 (adopted by Order, Aug. 9, 2023, ECF No. 19). But that recommendation of dismissal was made on May 30, 2023, not "December, 2023." As a result, Plaintiff's request does not appear to be related to this case.

Second, Plaintiff does not need the Court's permission to refile any allegedly dismissed claims.

Finally, the Court notes Plaintiff may be referring to two additional cases that he has filed in this Court. But neither appear to fit the request made in Plaintiff's motion in this case. In *Campbell v. Felicia*, Plaintiff's claims were dismissed because they were vague, and he sought relief not available in this Court. *Campbell v. Felicia*, No. 4:23-cv-00076-CDL-MSH (M.D. Ga.) (R&R, Sept. 29, 2023, ECF No. 13 (adopted by Order, Jan. 4, 2024, ECF No. 16)). And, in *Campbell v. Muscogee County Jail*, while the Court ordered Plaintiff to show cause for his failure to timely return a proper motion for leave to proceed *in forma pauperis*, the Court ultimately allowed his claims to proceed against Defendant Felicia Moore, but recommended dismissal of his medical claims related to the loss of his eye, among others. *Campbell v. Muscogee County Jail*, No. 4:23-cv-00178-CDL-MSH (M.D. Ga.) (Order & R. 8-9, Feb. 21, 2024, ECF No. 11). But that recommendation was not issued until February 21, 2024.

Accordingly, Plaintiff's motion (ECF No. 29) is **DENIED**. Plaintiff is advised to file his motions in the appropriate case.

**SO ORDERED**, this 29th day of February, 2024.

/s/ Stephen Hyles
UNITED STATES MAGISTRATE JUDGE